

# **TOWN OF DAVIE**

## **TOWN COUNCIL AGENDA REPORT**

**TO:** Mayor and Councilmembers

**FROM/PHONE:** Mark A. Kutney, AICP, Development Services Director/ (954) 797-1101

**PREPARED BY:** David M. Abramson, Planner III

**SUBJECT:** Delegation Request: DG 7-1-06/05-537/Three Oaks Business Center/5951 Orange Drive/Generally located between Orange Drive and Southwest 44th Court, and between Southwest 60th Avenue and Southwest 59th Avenue.

**AFFECTED DISTRICT:** District 1

**TITLE OF AGENDA ITEM:**

A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING A DELEGATION REQUEST TO CHANGE THE RESTRICTIVE NOTE ON THE PLAT KNOWN AS THE "DAVIE TROPICANA REPLAT," AND PROVIDING AN EFFECTIVE DATE.

**REPORT IN BRIEF:**

The petitioner is requesting to amend the restrictive note on the "Davie Tropicana Replat":

From: "This plat is restricted to 8,000 square feet of commercial use." To: "This plat is restricted to 81,603 square feet commercial use.

The petitioner's request is consistent with the "Three Oaks Business Center" development project. Additionally, commercial use is permitted in Regional Activity Center Land Use Plan Map designations and is in accordance with the adopted Town of Davie Comprehensive Plan. Staff finds that the proposed amendment is consistent with the existing and proposed use of the subject site.

**PREVIOUS ACTIONS:** n/a

**CONCURRENCES:** n/a

**FISCAL IMPACT:** n/a

Has request been budgeted? n/a

**RECOMMENDATION(S):**

Staff finds the application complete and suitable for transmittal to Town Council for further consideration.

**Attachment(s):** Resolution, Justification letter, Plat, Future Land Use Map, Aerial, Zoning, & Subject Site Map

RESOLUTION \_\_\_\_\_

A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING A REVISION TO THE RESTRICTIVE NOTE OF THE "DAVIE TROPICANA REPLAT," AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the boundary plat known as "Davie Tropicana Replat" was recorded in the public records of Broward County in Plat Book 165, Page 12; and,

WHEREAS, the owner desires to revise the restrictive note associated with said plat; and,

WHEREAS, Broward County requires that the Town of Davie concur with this revision prior to a review of the proposed revision by Broward County Commission.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF DAVIE, FLORIDA.

SECTION 1. The Town Council of the Town of Davie does hereby approve of the proposed revision to the restrictive note shown on the "Davie Tropicana Replat." The proposed revision being specifically described in the planning exhibits attached hereto.

SECTION 2. Any improvements required to satisfy Traffic Concurrency should be located within the Town of Davie on the local road network.

SECTION 3. This resolution shall take effect immediately upon its passage and adoption.

PASSED AND ADOPTED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2007.

\_\_\_\_\_  
MAYOR/COUNCILMEMBER

ATTEST:

\_\_\_\_\_  
TOWN CLERK

APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2007.

**Three Oaks Business Center  
Delegation Request For  
Modifications to "Davie Tropicana Replat"  
PLAT NOTE AMENDMENT  
JUSTIFICATION STATEMENT**

The petitioner is requesting to amend the plat restriction note on "Davie Tropicana Replat" in association with the proposed office development as Three Oaks Business Center. The current plat note restricts the site to 8,000 square feet of commercial use. This would allow development of retail uses including restaurants and banks which typically generate more traffic per square foot than standard retail uses and significantly more than professional office use. While office use would also be permitted by the current note, it is necessary to amend the note in order to construct more than 8,000 square feet of building.

The request is to convert the commercial note to the comparable amount of office use, in terms of p.m. peak hour trips. Since office use generates significantly fewer trips per square foot than the commercial use permitted by the recorded note, the proposed office project would generate less than half of the p.m. peak hour traffic vested by the current plat note. County staff has determined that the office square footage equivalent to 8,000 square feet of commercial use is 81,603 square feet. The proposed plat restriction note is intended to preserve the vested trips. The applicant understands that an expansion of the office project beyond that approved through the site plan under review for the Three Oaks Business Center would require additional review and approval by the Town.

"DAVIE TROPICANA REPLAT"

1. SERIAL OF PARCEL: "A" OF "DAVIS TRACT" (PLAT BOOK 111, PAGE 17 B. C. & C.)  
TOGETHER WITH A PORTION OF TRACT 29 IN SECTION 20, TOWNSHIP 40 NORTH,  
RANGE 42 EAST, OF "EVALUATED LAND SELLING COMPANY SUBDIVISION" (PLAT BOOK 2,  
PAGE 34, BLOCK 14, TOWNSHIP 40 NORTH, RANGE 42 EAST, OF "DAVIS TRACT")

**DECLARATION OF INTEREST** The authors have no financial or personal relationships with other people or organizations that could inappropriately influence or bias the work reported.

in witness whereof, I, Larry Buckner, read out my  
and this 17th day of June, A. D. 1990.

Larry Buckner  
Attorney at Law (CA)

Steve Jackson  
111111th Ave. Jackson

Larry Buckner  
Attorney at Law (CA)

I hereby certify that on this day presented, appeared before me,  
 a Notary Public in and for the State of Florida,  
 County of Brevard, who examined the foregoing and instrument  
 of Medication has been signed by the person or persons named  
 therein as the grantor and acknowledged to me that he said  
 instrument is his act and deed.  
 My commission expires 09/09/2010.  
 Notary Public in and for the State of Florida.  
 My commission expires 09/09/2010.  
 Signature of Notary Public [Signature]

**SEC-04176**  
State of Florida  
County of Duval  
I, \_\_\_\_\_, Clerk of the Court, do hereby certify that the within and foregoing is a true and correct copy of the original as the same appears in the records of said County and as the same appears in the records of said Court.  
WITNESSED my hand and the seal of said Court at Tallahassee, Florida, this \_\_\_\_\_ day of \_\_\_\_\_, 2004.

[illegible]

Witness

STATE OF FLORIDA  
County of Duval  
I hereby certify that on this day personally appeared \_\_\_\_\_  
who executed this \_\_\_\_\_  
personally known to me and not under oath.

Witness my signature and official seal at 403 S. Federal Ave., Ft. Lauderdale,  
Florida, this \_\_\_\_\_ day of \_\_\_\_\_, 1947.  
\_\_\_\_\_  
Commission expires: Feb. 16, 1947  
\_\_\_\_\_  
Secretary

1041 REV. 5-22-64 (25) 1041-2722

[illegible][illegible]

*Sally Williams*

MAIL ORDER  
OF JORDANA ZONE  
ATTN: Angela M. Lee  
P.O. Box 7089  
Austin, Texas 78768-0708

[illegible][illegible]

*Patricia E. Connor*  
Patricia E. Connor  
Vice President & Treasurer  
BANK OF AMERICA

[illegible]

NAME: DR. J. M. GILBERT  
 ADDRESS: 1000 N. 10th St.  
 CITY: ST. PAUL STATE: MINN. ZIP: 55102  
 PHONE: 344-0232  
 INSTITUTION: UNIVERSITY OF MINN.  
 TITLE: PROF. OF PHYSICS  
 SIGNATURE: [Signature]  
 DATE: 10/10/78

[illegible][illegible]

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Robert P. Goss

Robert A. Lipp  
Professional Surveyor and Mapper  
State of Florida Registration No. 7472

This District complies with the approval of the Board of County Planning Council  
on the above date and is approved and accepted for record this \_\_\_\_\_ day  
of \_\_\_\_\_ A.D. 19\_\_\_\_.

By: [Signature]

PLANNING COUNCIL

AD-1617920-47 10/11/84

ADMINISTRATIVE SERVICES SECTIONS  
FEDERAL BUREAU OF INVESTIGATION  
WASHINGTON, D.C.

This document was filed for record this day of June 1984.  
and recorded at Boston on this day of June 1984.

TO: SAC, NEW YORK (100-388610)  
FROM: SAC, NEW YORK (100-388610) (P)  
SUBJECT: [REDACTED]  
RE: [REDACTED]


U.S. 1082  
 ATTENTION: U.S. DEPARTMENT OF JUSTICE  
 BY: John F. DeLoach for May 1964  
 DATE: May 1964  
 COUNTY: California

THIS PLAN IS APPROVED AND RECORDED TO THE RECORD.

By: *W. H. Cook*  
W. H. COOK  
PROVINCIAL ENGINEERING  
FOR THE P. C. REGISTRATION NO. 12906

1954 MAY 28 AM 11:25 REGISTRAR'S OFFICE

PROVINCIAL DEPARTMENT OF STATISTICAL PLANNING AND PROGRESS MANAGEMENT

THIS PLAT IS APPROVED AND ACCEPTED FOR RECORD THIS 2nd DAY OF  
JULY 19--  
By:  J. H. Smith  
Recorder

(See EX-105-1165 and 208-1952 EX-105)  
It is hereby stated that this plat was approved and accepted by the PLANNING  
Zoning Board for the Town of Davis, Imperial County, California.

DATE: May 1965

BY: G. Paul

CHIEF

FOR COUNCIL

THIS IS CERTIFY THAT THIS PLAN AND APPROVED FOR REVISION AND FOR THE REVISION OF THE PLAN, as per the resolution adopted this 19th day of August 1965.

Witness my hand and the seal of the Board of Health at San Francisco this 19th day of August 1965.

Mayor James W. Phelan

Deputy Mayor Arborea Bergamini

City Clerk Y-T-Tan

**CENTRAL MICHIGAN WATER CONTROLS DISTRICT**

This list is approved and accepted for record.

	Date	6-17-38
	Date	Oct. 3, 1938
Chairman	District Secretary	

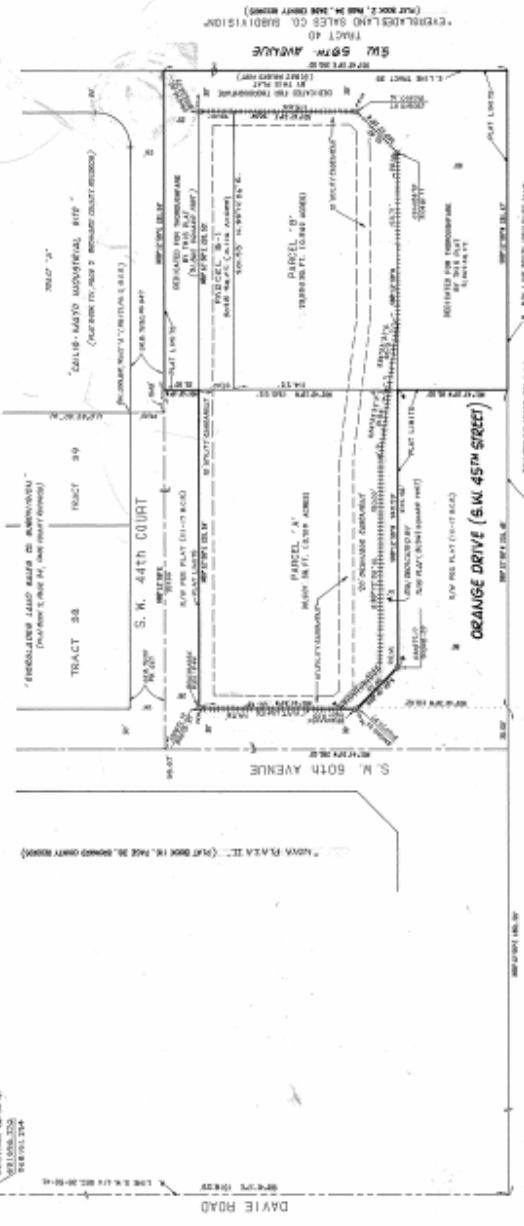
			
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# "DAVIE TROPICANA REPLAT"

A REPLAT OF PARCEL "A" OF "DAVIE TROPICANA" (P.B. 111, PG. 17 B.C.R.),  
 COMMUNITY OF "DAVIE TROPICANA", IN SECTION 16, TOWNSHIP 30, SOUTH  
 RANGE 31, EAST, OF "DAVIE TROPICANA" (P.B. 111, PG. 17 B.C.R.),  
 IN THE TOWN OF DAVIE, BROWARD COUNTY, FLORIDA



DAVIE TROPICANA  
 COMMUNITY  
 PARCEL "A"  
 100.00 ACRES  
 40.00 ACRES  
 60.00 ACRES



LOCATION MAP

PLAT NOTES

1. PARCEL "A" IS THE ENTIRE PARCEL SHOWN ON THE PLAT.
2. THE TOTAL AREA OF THE PLAT IS 100.00 ACRES.
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19. THE TOTAL AREA OF THE PLAT IS 100.00 ACRES.
20. THE TOTAL AREA OF THE PLAT IS 100.00 ACRES.

Prepared By:  
 KELLY L. LEE & COMPANY, INC.  
 3000 NORTH WILLOW ROAD, SUITE 200  
 FORT LAUDERDALE, FLORIDA 33309

SOUTH NEW RIVER CANAL  
 100' WIDE

Exhibit (Future Land Use Map)

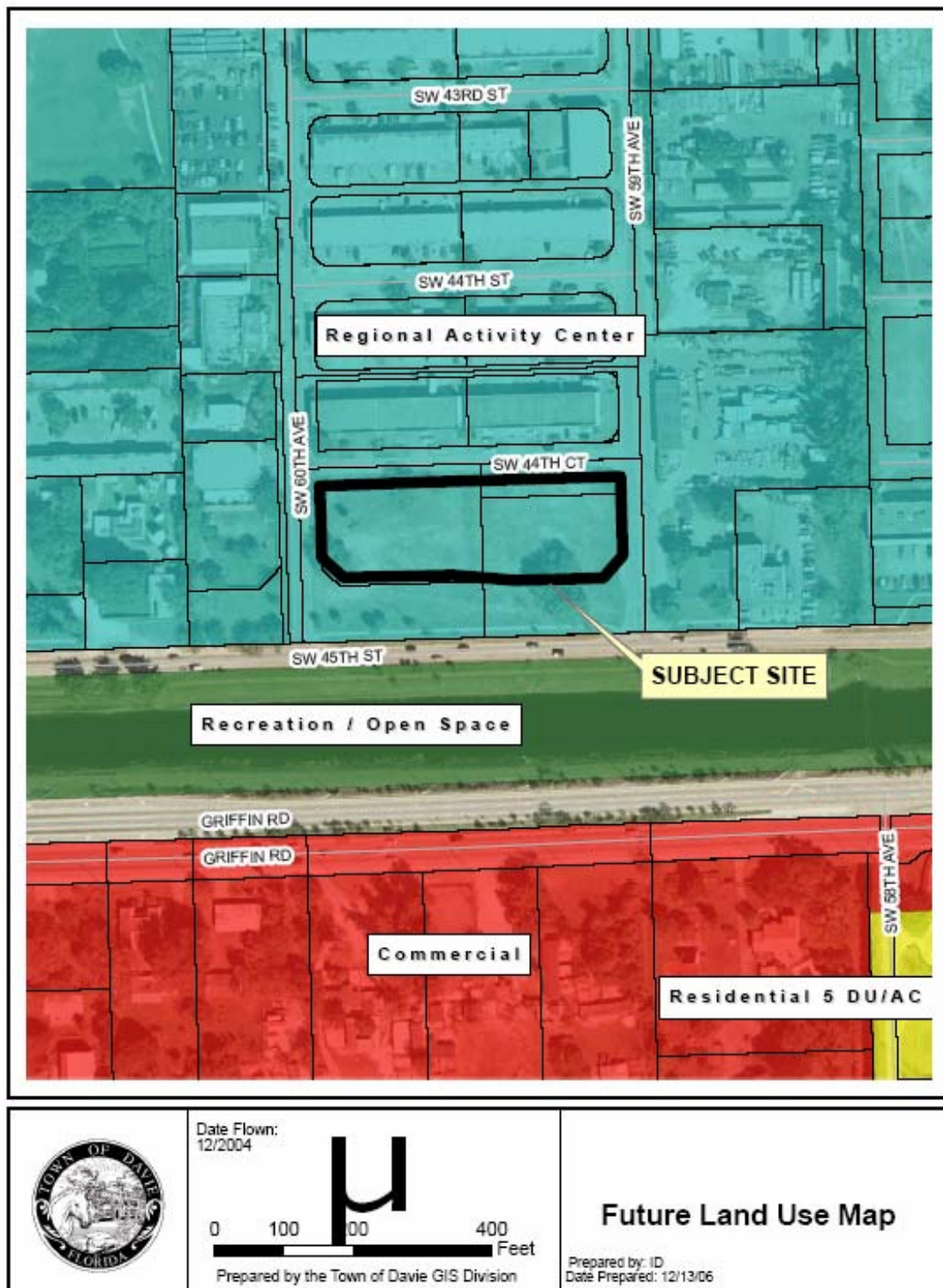
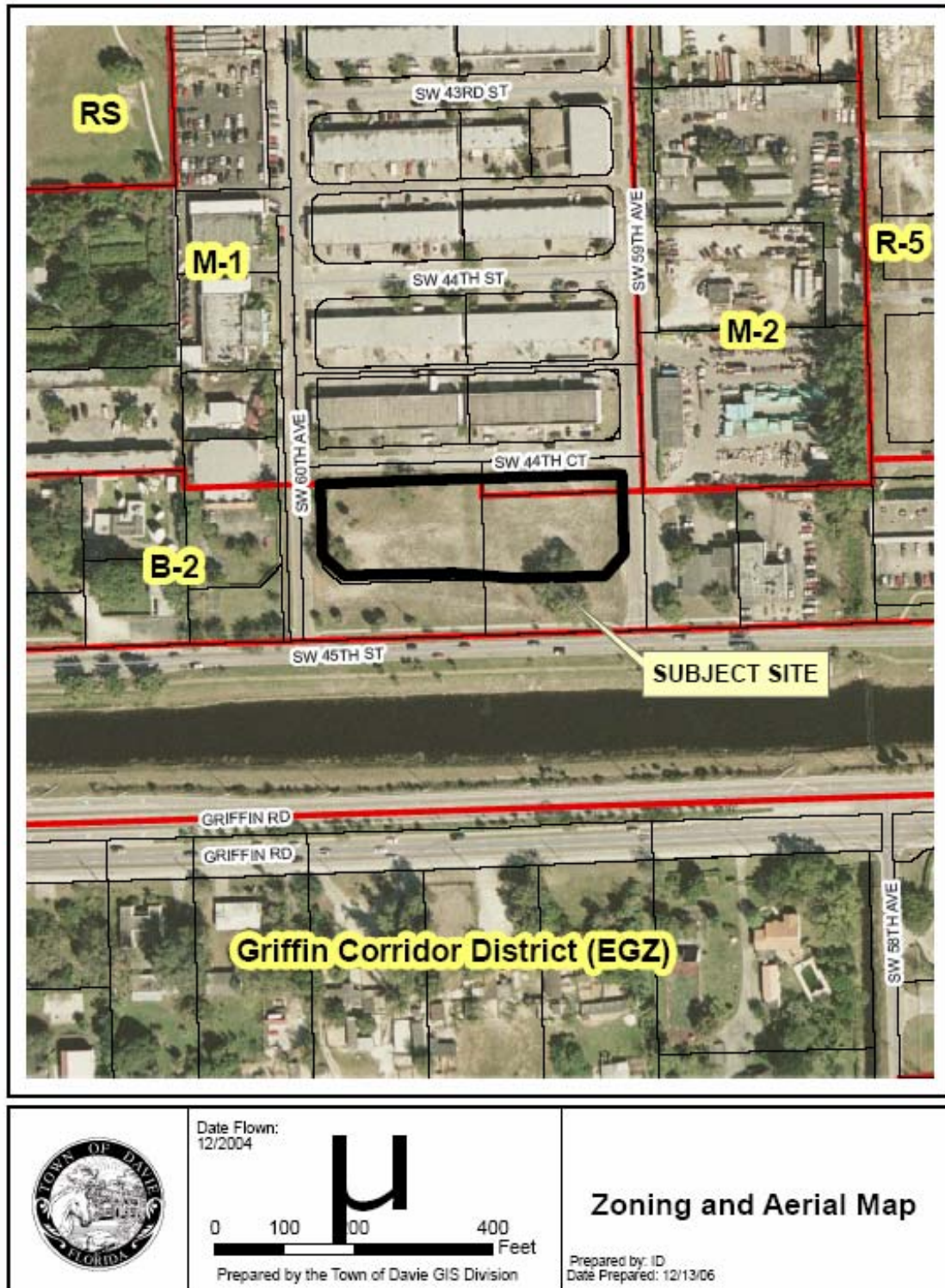


Exhibit (Aerial, Zoning, and Subject Site Map)



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